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Items 12, 28, 35, 42, 72 (d), 94 (d), 97 (a), 107 and 108 of the provisional agenda*

Report of the Economic and Social Council

Cooperation between the United Nations and the Inter-Parliamentary Union

Cooperation between the United Nations and the Organization of African Unity

Assistance in mine clearance

General and complete disarmament: Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction

Macroeconomic policy questions: external debt crisis and development

Environment and sustainable development: implementation of and follow-up to the outcome of the United Nations Conference on Environment and Development, including the outcome of the nineteenth special session of the General Assembly for the purpose of an overall review and appraisal of the implementation of Agenda 21

Implementation of the outcome of the Fourth World Conference on Women

Report of the United Nations High Commissioner for Refugees: questions relating to refugees and displaced persons and humanitarian questions

Letter dated 14 July 1998 from the Permanent Representative of Namibia to the United Nations addressed to the Secretary-General

In regard to the resolutions adopted at the ninety-ninth session of the General Conference of the Inter-Parliamentary Union, held at Windhoek from 2 to 11 April 1998,

* A/53/150

98-22037 (E) 170898

I have the honour to request that the present letter and its annexes be circulated as a document of the General Assembly under agenda items 12, 28, 35, 42, 72 (d), 94 (d), 97 (a), 107 and 108.

Annex I

[Original: English and French]

THE PREVENTION OF CONFLICTS AND THE RESTORATION OF PEACE AND TRUST IN COUNTRIES EMERGING FROM WAR; THE RETURN OF REFUGEES TO THEIR COUNTRIES OF ORIGIN, THE STRENGTHENING OF DEMOCRATIC PROCESSES AND THE HASTENING OF RECONSTRUCTION

Resolution adopted without a vote* by the 99th Inter-Parliamentary Conference (Windhoek, 10 April 1998)

The 99th Inter-Parliamentary Conference,

Aware that, despite the development of conflict prevention mechanisms and the growing number of successes achieved by preventive diplomacy, armed conflicts still occur and post-war normalisation and rehabilitation require constant and active international involvement and support,

Deeply concerned that the slow pace of post-war normalisation and rehabilitation in various crisis areas of the world continues to endanger international peace, stability and security,

Recalling the relevant resolutions adopted by the Inter-Parliamentary Union, including those entitled « Respect for international humanitarian law and support for humanitarian action in armed conflicts », « Prevention of conflicts, maintenance and consolidation of peace: Role and means of the United Nations and regional organizations », « The protection of minorities as a global issue and a prerequisite for stability, security and peace » and « Co-operation for world and regional security and stability, as well as respect for all forms of the sovereignty and independence of States », adopted, respectively, by the 90th, 91st, 95th and 97th Inter-Parliamentary Conferences,

Considering that war, political instability and oppression but also poverty and economic hardship trigger movements of refugees, and *conscious* that poverty, especially when combined with ethnic or political discord and political oppression, provides fertile ground for those wishing to foment violent opposition to governments,

Also recalling Conclusions No. 18 (XXXI) of 1980, No. 40 (XXXVI) of 1985, No. 56 (XL) of 1989, No. 74 (XLV) of 1994, No. 80 (XLVII) of 1996 and No 81 (XLVIII) of 1997 of the Executive Committee of the Office of the UN High Commissioner for Refugees on international protection, and *wishing* to further stress:

(a) The fundamental right of refugees to return home voluntarily and in safety and dignity;
(b) The entitlement of returning refugees to all constitutional rights, including all human rights as enshrined in the Universal Declaration of Human Rights of 10 December 1948;
(c) The need for the international community to provide adequate support to facilitate the reintegration of returnees, internally and externally displaced persons and demobilised soldiers,

Noting that democratic governance, transparency and accountability in government, the strengthening of electoral processes, the pursuit of social and economic development and the

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* The delegations of China and Finland expressed reservations on paragraph A.5.

observance of basic human rights can not only prevent conflict but also restore peace to countries emerging from war,

Acknowledging the leading role of the United Nations and regional organisations in preventing conflict and restoring peace, ensuring sustainable economic and social development and promoting fundamental human rights,

Also acknowledging the importance of implementing all UN Security Council resolutions on conflicts,

Recalling relevant United Nations documents, especially the UN Secretary-General's 'An Agenda for Peace', the 'Supplement to an Agenda for Peace', 'An Agenda for Development' and 'An Agenda for Democratization', as well as General Assembly resolutions 52/18 of 15 January 1998 and 52/129 of 12 December 1997,

Recognising the Beijing Declaration and Platform for Action adopted by the States participating in the Fourth World Conference on Women organised by the UN in 1995, and *convinced* that the establishment and maintenance of peace and security require the unrestricted participation of women in decision-making processes, conflict prevention and settlement and all other peace initiatives,

Stressing the need to consolidate international peace and security through disarmament, in particular nuclear disarmament leading to the elimination of all nuclear weapons, and to impose quantitative and qualitative restrictions on the arms race, and *recalling* to this end the resolution of the 85th Inter-Parliamentary Conference (Pyongyang, April 1991) entitled « Need to prevent the proliferation of nuclear weapons and other weapons of mass destruction, to ensure the security of all States and to strengthen confidence-building measures in the context of the process of disarmament »,

Pointing out that the overwhelming majority of arms sales to developing countries are made by the permanent members of the UN Security Council,

Believing that the restoration of peace, the return of refugees, land rehabilitation and even economic recovery would be facilitated by the banning of the use, stockpiling, production and transfer of anti-personnel mines and by their destruction in conformity with IPU resolutions on the subject (Beijing, September 1996 and Cairo, September 1997),

Noting with great interest the content of the address delivered to the Conference by the Director General of UNESCO, Mr. Federico Mayor, on 6 April,

Also noting the importance of promoting all the components of a genuine « culture of peace », and *hoping* for full recognition of the right to peace which is inherent in every individual and every society and is the very foundation of such a culture,

Urging parliaments to play their true role by legislating effectively to achieve the objectives of this resolution and by holding the Executive accountable for its action in these areas,

A. Conflicts and Conflict Prevention

1. *Calls on* the United Nations and other international and regional organisations concerned to develop and implement an international system for preventing aggression by tackling the root causes of problems, and *urges* these organisations to proceed accordingly with an in-depth review of the conditions to be met and the means to be applied to ensure that conflict prevention is more effective than in the past;
2. *Urges* all countries to support the UN Secretary-General in his efforts to reform and strengthen the mechanisms of the UN which deal with conflict prevention and early warning;

3. *Stresses the need* to avoid different standards when implementing UN Security Council resolutions;
4. *Emphasises* that no single State or closed group is entitled to monopolise conflict settlement worldwide, particularly by threatening to resort to force or military action, and that any attempts to do so should be rejected by the world community;
5. *Calls on* States which have not yet signed the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction* (Ottawa, December 1997) to do so, and on signatory States to ratify it as soon as possible to ensure its early entry into force; and *urges* States to facilitate the implementation of the Convention, especially with regard to humanitarian demining and victim assistance;
6. *Also calls on* States to reaffirm that rape in the conduct of armed conflict constitutes a war crime and, in certain circumstances, a crime against humanity and an act of genocide as defined in the 1951 Convention on the Prevention and Punishment of the Crime of Genocide, to take all measures required for the protection of women and children from such acts, and to strengthen mechanisms to investigate and punish those responsible and bring the perpetrators to justice;
7. *Underlines the need* to establish or restore civilian control over society as an essential step towards restoring peace and trust;
8. *Calls on* governments and all other parties concerned to end arms sales which lead to wars and conflicts;
9. *Underlines the importance* of national and regional NGO networks dealing with conflict prevention and peace-building;

B. Restoration of Peace and Trust

1. *Condemns* the use of military force against peoples exercising their right to self-determination;
2. *Calls on* the United Nations to support all parties which suffer from conflicts, regardless of whether they are subject to international law;
3. *Also calls on* parties to conflicts to start and pursue direct negotiations as an essential means of reaching a peaceful solution;
4. *Believes* that developing democratic processes and enforcing human rights are the most effective means of preventing conflicts and restoring peace and trust in countries emerging from war;

C. Refugees

1. *Calls on* all countries of origin, countries of asylum, the Office of the UN High Commissioner for Refugees (UNHCR) and the international community to take all necessary measures to enable refugees to exercise freely their right to return to their home in safety and dignity;
2. *Also calls on* governments and parliaments to facilitate the early and voluntary return, the resettlement and the rehabilitation of refugees and displaced persons; the disarming, demobilisation and subsequent training and reintegration of former combatants, especially child soldiers, into civilian life; and the rehabilitation of traumatised populations, in particular women and children;
3. *Urges* the international community to provide timely and speedy humanitarian assistance and support to countries affected by an influx of refugees and displaced persons, and to help them particularly with the care and maintenance of large populations;
4. *Calls on* governments and parliaments to consider measures to guarantee the safety of displaced persons, including internally displaced persons, and their property during and after repatriation;
5. *Urges* governments and parliaments to condemn the use of refugees either as human shields in armed conflicts or as political pawns;

6. *Appeals* to donor countries to promote reconstruction in conflict regions and the integration of returning refugees by providing generous assistance in order to safeguard the physical, social, legal and material security of former refugees and displaced persons;
7. *Recommends* that international financial bodies accord generous terms to countries which take in substantial numbers of refugees;

D. Democratic Processes

1. *Stresses* that the holding of free and fair elections as early as possible in countries emerging from war is of the utmost importance to the normalisation process;
2. *Underscores* that a freely and democratically elected Parliament is a prerequisite for the consolidation of peace and the prevention of new conflicts;
3. *Calls on* political parties and structures to choose their leaders according to merit;
4. *Attaches* the utmost importance to respect for human rights and fundamental freedoms, the rights of minorities and the freedom of the media, as major elements in the strengthening of democratic processes;
5. *Urges* governments to include teaching on tolerance, human rights and the culture of peace in formal and informal education;

E. Reconstruction

1. *Calls on* governments and parliaments to assist in the reconstruction and development of necessary infrastructure and productive capacity;
2. *Stresses* the importance of inter-ethnic reconciliation in the post-war normalisation process in multi-ethnic States.

Annex II

[Original: English and French]

ACTION TO COMBAT HIV/AIDS IN VIEW OF ITS DEVASTATING HUMAN, ECONOMIC AND SOCIAL IMPACT

Resolution unanimously adopted by the 99th Inter-Parliamentary Conference (Windhoek, 10 April 1998)

The 99th Inter-Parliamentary Conference,

Recalling the previous resolutions of the Inter-Parliamentary Union concerning HIV/AIDS, particularly that of the 87th Conference (Yaoundé, April 1992),

Concerned by the speed at which the HIV/AIDS epidemic is spreading throughout the world, particularly among women and children,

Noting the growing awareness of the seriousness of AIDS as a disease to which anyone can be exposed, regardless of ethnic origin, age group, geographical situation and level of economic or social well-being,

Emphasising the harmful impact of AIDS on society, economies and development, which jeopardises world economic growth and threatens political and social stability,

Acknowledging that balancing the rights and responsibilities of a broad spectrum of people is a formidable but necessary legislative task of parliaments,

Mindful that women and children as well as groups which are underprivileged socially and economically or in terms of the law, and those with no legal status, are less aware and therefore more vulnerable to the risks of infection from HIV/AIDS because they may be barred from full access to education, health care, social services and other means of prevention and control, and *acknowledging* that they suffer disproportionately from the economic and social consequences of the HIV/AIDS epidemic,

Convinced that both authorities and society as a whole must spare no effort to prevent and contain the spread of HIV/AIDS and ease the impact of this pandemic on respect for human rights and civil liberties,

Deeply concerned by the ever-widening gap between developed and developing countries in terms of possibilities for screening, identifying, monitoring, treating and ensuring the social integration of people with AIDS, which is the more serious as the great majority of those affected live in developing countries,

Reminding States of the commitments they have undertaken to promote and encourage respect for human rights in instruments such as the Universal Declaration of Human Rights, the United Nations Charter, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child, as well as the conventions of the International Labour Organisation, the Vienna Declaration and Programme of Action, the Beijing Declaration, resolutions 1994/24 and 1997/52 of the UN Economic and Social Council, the Cairo Programme of Action, the Declaration of the Paris Summit of 1 December 1994, the G-7 Development Ministers, Joint Declaration of 1 December 1997 and the resolution of the ASEAN Inter-Parliamentary Organisation (AIPO) on the Maintenance of Health and Prevention of the Spread of HIV/AIDS adopted at the 18th General Assembly of AIPO in Bali, Indonesia, in September 1997,

Recognising that HIV/AIDS spreads beyond borders and must accordingly be fought through joint action by the international community and international organisations, especially UNAIDS and its co-sponsors (UNICEF, UNDP, UNFPA, UNESCO, WHO, World Bank),

Reaffirming the principles set out in the World AIDS Strategy adopted by WHO and endorsed by the UN General Assembly, the main goals of which are as follows:

(a) Preventing HIV infection;

(b) Reducing the effects of infection on individuals and society;

(c) Mobilising and combining national and international efforts to combat AIDS,

Convinced of the need to act on a global scale to ensure that despite overstretched public budgets, no effort is spared to reduce the number of new cases of HIV/AIDS,

Recalling that adopting legislation on the rights and obligations of persons is one of the primary duties of parliaments,

1. *Urges* parliamentarians to evaluate properly the growing impact of the HIV/AIDS epidemic on world economic development and on social and political stability, and to become aware of the resulting daily violations of the inalienable rights of individuals;

2. *Urges* governments and NGOs to adopt a long-term, timely, coherent and integrated AIDS prevention policy with public information and education programmes which are specifically tailored to the needs of the various target groups and take account of cultural and religious sensitivities, and thus provide universally accessible information about the various routes of HIV transmission and highlight ways of avoiding or at least reducing the risk of infection;

3. *Calls on* the more prosperous countries, in accordance with the principle of international solidarity, to help less developed countries, to take on appropriate additional burdens and to offer financial assistance and technical and social support;

4. *Also calls on* governments, scientific organisations and the pharmaceutical industry to co-operate in funding and reinforcing AIDS vaccine research, as proposed by the International AIDS Vaccine Initiative, and *invites* the pharmaceutical industry in particular to invest massively in such research;

5. *Calls for* negotiations between wealthy and poorer countries to devise ways of enabling every person living with HIV/AIDS to benefit from the best treatments possible in light of current medical knowledge;

6. *Calls on* developed countries, as well as international organisations and financial institutions, to earmark part of their development assistance to support national AIDS programmes in the developing world;

7. *Urges* governments to ensure the protection of human rights by putting into practice the guidelines adopted by the Second International Consultation on HIV/AIDS and Human Rights (September 1996). Special consideration should be given to the following:

   (a) Review and reform existing public health laws so as to ensure that they address the issues raised by HIV/AIDS and comply with international human rights obligations (protection of privacy, confidentiality, liberty and security of the person), and that the provisions applicable to other transmissible diseases are not implemented in an inappropriate manner;

   (b) Review and reform penal legislation and prison systems so as to ensure that they comply with international obligations for the protection of human rights, especially as regards HIV/AIDS;

   (c) Adopt legislation ensuring that the human rights of persons infected or affected by HIV/AIDS are respected, banning all forms of discrimination against them, and establishing their right to education, work, housing and social services;

   (d) Ensure respect for privacy, confidentiality and ethics in scientific research on human beings (informed consent, education and respect of subjects);

   (e) See to it that public institutions and the private sector establish rules concerning HIV/AIDS which translate human rights principles into codes of professional responsibility and practice, and introduce monitoring mechanisms to ensure that they are properly applied;

8. *Calls on* parliamentarians to encourage the involvement of all sectors of society by promoting inter-agency and multisectoral co-operation, including public-private sector partnerships as an effective means to respond to the pandemic;

9. *Urges* parliamentarians to intensify their legislative, budgetary and oversight functions in all areas of activity relevant to HIV/AIDS prevention and control;

10. *Requests* UNAIDS, in co-operation with the IPU Secretariat, to consult IPU member parliaments in finalising the draft Handbook on HIV/AIDS, law and human rights, and to disseminate it as a reference tool for the establishment of legal standards, with progress to be reported at the next IPU Conference in Moscow;

11. *Urges* legislators to ensure that HIV/AIDS is addressed at all times through a partnership approach which involves the widest possible range of concerned stakeholders, including people living with AIDS, as well as the community, in decision-making processes and which provides for the sharing and dissemination of all relevant information on policies and medical and social issues;

12. *Calls on* governments to remove possible routes of transmission within health services, by using only blood and blood products which are guaranteed free of infection, utilising disposable hypodermic needles and ensuring strict compliance with all other hygiene

regulations, including establishing needle and syringe exchange programmes, and *urges* the developed countries to provide material and technical support to the developing countries in this respect;

13. *Calls for* the establishment, in IPU member parliaments, of non-partisan parliamentary groups on HIV/AIDS to ensure ongoing dialogue, briefings and debate as well as training activities in order to deepen the understanding of the pandemic and to promote a consensus on national AIDS policy.

Annex III

[Original: English and French]

FOREIGN DEBT AS A FACTOR LIMITING THE INTEGRATION OF THE THIRD WORLD COUNTRIES INTO THE PROCESS OF GLOBALISATION

Resolution adopted without a vote* by the 99th Inter-Parliamentary Conference (Windhoek, 10 April 1998)

The 99th Inter-Parliamentary Conference,

Considering the breathtaking speed of the globalisation process, which affects all countries regardless of their capacity to cope therewith,

Mindful of the fact that the foreign debt burden limits the Third World's opportunities to become properly integrated into the globalisation process,

Considering that, since the debtor countries have never refused to meet their debt obligations, it is essential for the United Nations General Assembly to establish machinery whereby States can repay their debts without detriment to their populations,

Concerned by the economic crisis in the debtor countries in general which is aggravated by conditionalities imposed by international financial institutions and which, in the final analysis, primarily affects the masses in these countries and has an especially harsh impact on children, women, indigenous peoples and minority populations,

Recognising that exports to debtor countries greatly benefit the economies of creditor countries,

Mindful of the need to focus on the challenges posed by North-South problems and on the issue of mutual responsibility, and *convinced* that the debt crisis can be tackled effectively within a global forum involving all parties concerned, creditors and debtors alike, since the heavy debt burden leads to the inability of debtor countries to honour their debt repayment obligations and is a threat to the global economy,

Conscious that, in a world affected by the process of globalisation, more than a billion people live in absolute poverty and have been marginalised within society, thus being denied the opportunity to participate in productive economic life,

Mindful that the debt servicing of many countries exceeds their entire national budgets for education, housing, health and environmental programmes and related social and economic services, and consumes a disproportionately large percentage of their annual foreign exchange earnings, thus diverting much-needed funds from economic initiatives and human development needs, posing a threat to political stability and democratic development and aggravating conflicts,

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* The delegation of Japan expressed reservations on operative paragraph 1.

1. *Reaffirms* the support of the world parliamentary system to the Third World countries' endeavours to find a viable, timely solution to the foreign debt problem - in part through the strengthening of the IMF/World Bank initiative (HIPC) in favour of developing countries - and *supports* the cancellation or a substantial reduction of the debt as part of the jubilee celebration of the year 2000, so that peoples can enter the new millennium in better conditions;

2. *Calls on* the Governments of the countries represented in the IPU to request, through their respective Ambassadors to the United Nations, that a debate be held at the next UN General Assembly session on the global problem of debt;

3. *Urges* the international community to consider favourably, within the United Nations, the innovative concept of debt-for-nature swaps;

4. *Calls on* the United Nations General Assembly to consider applying to the International Court of Justice at The Hague for an advisory opinion on the manner in which part of the debt was contracted;

5. *Recommends* that the Third World countries take a collective approach to adopting common principles in negotiating, and finding, viable solutions with international financial institutions and creditor countries, so as to achieve a ne. transfer of resources favourable to debtor countries as well as changes in conditionalities that affect them;

6. *Urges* creditors to co-operate with debtor countries - especially the heavily indebted poor countries - so that the latter can ensure their debt servicing, taking into account the fact that funds earmarked for debt servicing are diverted from investment in education, health and housing, thereby leading to a further deterioration of the Third World's alarming poverty indexes, and *stresses* the need for creditors to understand that progress made by the economies of the developing world will lead to readjustments on the international scene which will inevitably benefit them greatly;

7. *Reiterates* its request that the IBRD/World Bank and the International Monetary Fund be equipped with parliamentary observer institutions to monitor their activities and ensure that their policies take into account co-responsibility between debtor and creditor countries, so as to:

   - Promote sustainable, socially just and environmentally sound development in the Third World, with particular emphasis on human rights, democracy and reduced defence spending;
   - Involve recipient countries, and in particular their populations, in all stages of the planning and implementation of projects, thus ensuring that they include the essential « human dimension »;
   - Avoid deterioration of the living conditions and human rights of men, women and children by preserving basic health and education and enhancing productive capacity.

Annex IV

[Original: English and French]

THE SITUATION IN KOSOVO - MEASURES TO ENSURE A LASTING AND PEACEFUL SOLUTION TO THE CRISIS

Resolution adopted without a vote by the 99th Inter-Parliamentary Conference (Windhoek, 10 April 1998)

The 99th Inter-Parliamentary Conference,

Deeply concerned by the current situation in the Kosovo province of the Federal Republic of Yugoslavia, which is creating uneasiness and legitimate concern in the neighbouring countries,

Condemning the escalation of terrorism and repression in recent weeks, which has led to many deaths in Kosovo, including women and children,

Recognising UN Security Council resolution 1160 of 31 March 1998 as the basis for considering possible measures which could ensure a durable and peaceful resolution of the crisis,

Noting with satisfaction the statements made on 9 and 25 March 1998 by the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group),

Supporting the efforts and decisions of the Organization for Security and Co-operation in Europe (OSCE), the Parliamentary Assembly of the Council of Europe and the neighbouring countries, as well as other steps undertaken with a view to ensuring a peaceful and equitable settlement in Kosovo,

Recognising that some progress has been achieved in the implementation of the measures specified in the Contact Group statements of 9 and 25 March 1998, yet *stressing* at the same time the need for further progress,

Supporting a new mission by former Spanish Prime Minister Felipe Gonzalez on behalf of the European Union (EU) and the OSCE,

Affirming adherence to the principle of maintaining the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Convinced that the human rights situation in Kosovo and the threat of further instability in the entire Balkan region can affect the legitimate interests of the international community, not least as a result of the refugee flows associated therewith,

1. *Appeals* to all parties to the conflict to return to the principle of non-violence and to refrain from acts of provocation;

2. *Calls on* the parties to the conflict to engage immediately in mediation talks and to co-operate unconditionally with the international community in order to resolve the conflict;

3. *Appeals* to all outside observers to refrain from providing funds, supplying weapons and other equipment, or providing training with such weapons and equipment, in support of terrorist activities;

4. *Considers* efforts to contribute to the consolidation of the positive changes in approaches to the Kosovo crisis as a significant objective of the international community;

5. *Expresses* its support for UN Security Council resolution 1160 of 31 March 1998, and *urges* parliaments of the world and the IPU, using all means at their disposal, to ensure the full implementation, by governments, of all its provisions, including a meaningful self-administration for Kosovo;

6. *Requests* the immediate withdrawal of the Serbian special police forces as well as the end of operations against the civilian population and the cessation of disproportionate control measures;

7. *Also requests* continued and unrestricted access to Kosovo for all humanitarian organisations.

Annex V

[Original: English and French]

CO-OPERATION WITH THE UNITED NATIONS SYSTEM

Parliamentary action for national follow-up to international agreements and treaties regarding women

Decisions taken by the Inter-Parliamentary Council at its 162nd session (Windhoek, 11 April 1998), on the recommendation of women parliamentarians

There are a number of international conventions concerning women, the chief of which is the « *Convention on the Elimination of All Forms of Discrimination against Women* ». The ratification of treaties implies a number of obligations for States parties, in particular, that of harmonising national law with the treaty provisions and reporting periodically to a competent body on national measures to follow up those provisions.

Furthermore, a number of international instruments which are not treaties but have been the subject of an agreement contain recommendations for action by Governments and national Parliaments. These instruments establish a mechanism for periodic examination of progress made in national follow-up to these recommendations. The principal instruments which are to be examined shortly are (i) the « *the Beijing Declaration and Platform for Action* », adopted by the United Nations Fourth World Conference on Women in September 1995, and (ii) the « *Plan of Action to correct present imbalances in the participation of men and women in political life* », adopted by the Inter-Parliamentary Council in March 1994 as a contribution to the Beijing Platform for Action. In both cases, the first periodic examination will take place in the year 2000; as far as the United Nations is concerned, the **United Nations General Assembly will hold a Special Session from 5 to 9 June 2000** to examine and evaluate steps taken by States to follow up the « *Beijing Platform for Action* ».

In the spirit of the co-operation agreement signed in 1996 between the Inter-Parliamentary Union and the United Nations, the Inter-Parliamentary Council decides to take the following measures, aimed at:

- **strengthening the synergy between the two organisations to give the aforesaid instruments greater effect, and**
- **encouraging Parliaments to exert greater influence on their national follow-up.**

I. CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

The « *Convention on the Elimination of All forms of Discrimination Against Women* » (CEDAW) has been ratified by 160 States: the box on the following page contains the ratification status for this instrument. According to Article 18 of the Convention, « *States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect: (a) Within one year after the entry into force for the State concerned; and (b) Thereafter at least every four years and further whenever the Committee so requests.* ». Among the 160 States which have ratified the

CEDAW, **56 have never submitted a preliminary report** on the follow-up action they have taken, and **some 30 States are very late in submitting the subsequent periodic reports**:

⇒ STATES THAT NEVER SUBMITTED THEIR INITIAL REPORT ON THEIR FOLLOW-UP TO CEDAW *(members of the Inter-Parliamentary Union in bold character)*: **Albania, Algeria, Andorra, Angola**, Bahamas, **Benin**, Bhutan, **Bosnia and Herzegovina, Botswana, Brazil**, Burundi, **Cambodia, Cameroon, Cape Verde, Central African Republic**, Chad, Comoros, **Congo, Costa Rica, Côte d'Ivoire**, Dominica, **Eritrea, Estonia, Fiji**, Gambia, **Georgia**, Grenada, **Guinea**, Guinea-Bissau, Haiti, **India, Kuwait, Latvia, Lao People's Democratic Republic**, Lesotho, Liberia, **Lithuania, Malaysia**, Maldives, **Malta, Nepal, Papua New Guinea, Republic of Moldova**, Saint Kitts and Nevis, Saint Lucia, Samoa, Seychelles, Sierra Leone, **Singapore, Suriname, Tajikistan**, **The F.Y.R. of Macedonia, Togo**, Trinidad and Tobago, **Uzbekistan**, Vanuatu.

⇒ STATES LATE IN SUBMITTING ONE OF THE SUBSEQUENT REPORTS *(members of the Inter-Parliamentary Union in bold)*: **Angola**, Bhutan, **Brazil, Burkina Faso, Cape Verde**, Comoros, **Congo, Costa Rica**, Dominica, **El Salvador, Gabon, Guinea**, Guinea-Bissau, **Guatemala**, Guyana, Haiti, **Iraq**, Jamaica, **Lao People's Democratic Republic**, Liberia, **Malawi, Mali, Mongolia**, Saint Kitts and Nevis, Saint Lucia, **Sri Lanka, Togo, Uruguay, Viet Nam, Yugoslavia**.

DECISION N° 1

1. Having the above information before it, the **Inter-Parliamentary Council urges the MPs of States that have not yet submitted an initial report or one or more of the subsequent reports to the CEDAW Committee:**

   1. **To enquire about** the reasons for this delay;
   2. **To arrange** for the Government to present the report as soon as possible in the coming months;
   3. **To ensure** that the Government's report is detailed and complete and complies with the standards laid down by the CEDAW Committee.

2. Of those States which have ratified the Convention, many have expressed reservations. **Considering that such reservations considerably limit the scope of the Convention**, the Inter-Parliamentary Council urges MPs of States having expressed reservations at the time of accession to CEDAW to **enquire about the continued validity of those reservations and, if need be, endeavour to have them lifted**.

3. In general, parliamentarians from States which are parties to CEDAW could, as part of their role of overseeing Government action, **draw on some recommendations** made in 1993 on the occasion of the IPU Symposium on « Parliament: Guardian of Human Rights ». Those recommendations, which the Inter-Parliamentary Council endorsed, are the following:

   « Parliaments should be more diligent in ensuring that the Executive submits to the international treaty bodies the requisite reports, including references to the work and observations of MPs. if Parliaments are not consulted when these reports are drawn up, they should receive them for information, together with the opinions, decisions or recommendations of the committees to which they were submitted. »

4. Considering that an **Optional Protocol** relating to CEDAW and establishing an individual complaints procedure is being prepared within the United Nations, the **Inter-Parliamentary Council invites Parliaments to support the adoption of the Protocol and take the necessary steps to secure its earliest possible entry into force**.

II. BEIJING PLATFORM FOR ACTION AND IPU PLAN OF ACTION

The « *Beijing Declaration and Platform for Action* » covers twelve critical areas of concern [3]. By adopting these documents in September 1995, the Governments undertook on behalf of States to give effect to the recommendations they contain by adopting **national plans**. In March 1998, the United Nations Commission on the Status of Women recommended that the United Nations General Assembly hold a Special Session from 5 to 9 June 2000 in order to review and evaluate steps taken by States to follow up the provisions of the Platform for Action.

The « *Plan of Action to correct present imbalances in the participation of men and women in political life* » solely concerns the question of women's participation in political life. It was drawn up in 1994 as a contribution to the preparation of the Beijing Platform for Action and can be considered as an extension of Section VII (women in power and decision-making) of the Platform for Action. Section E of the Plan of Action is entitled « *Mechanism for the follow-up and evaluation of the implementation of the Plan of Action* », which reads as follows :

> « *The implementation of this Plan of Action should be evaluated periodically. Such evaluations should be carried out at five-yearly intervals in the light of national reports. Within the Inter-Parliamentary Union, responsibility for examining these reports will be entrusted to a Parity Working Group set up specifically to this end. The views and recommendations formulated by this Parity Working Group will be examined by the Inter-Parliamentary Council and transmitted for action to the Parliaments of the countries concerned.* »

In accordance with these provisions, at its first session of the year 2000, the Inter-Parliamentary Council should have before it a report on the measures taken in the different countries represented in the IPU to give effect to the Plan of Action. This implies that a questionnaire regarding this subject be addressed to all IPU members in 1999 and also that the Parity Working Group mentioned in the Plan of Action analyse the replies to the questionnaire in 1999 or, at the very latest, in the first few weeks of the year 2000.

DECISION N° 2

In view of the foregoing, the Inter-Parliamentary Council decides to take the following measures **to strengthen the synergy between the IPU's action and that of the United Nations with regard to the follow-up to these documents**:

1. **Co-ordination regarding the contents of the Union's questionnaire** on the follow-up to the Plan of Action and the subject-matter of the requests of the United Nations with reference to Part VII of the Beijing Platform for Action (women in power and decision-making process);

2. **Contribution of the Inter-Parliamentary Union to the preparatory process** (*prepcom*) of the Special Session of the United Nations General Assembly;

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3 1. Women and poverty; 2. Education and training of women; 3. Women and health; 4. Violence against women; 5. Women and armed conflict; 6. Women and the economy; 7. Women in power and decision-making; 8. Institutional mechanisms for the advancement of women; 9. Human rights of women; 10. Women and the media; 11. Women and the environment; and 12. The girl child

3. **Co-ordination with regard to the reports on national action** which will be presented, on the one hand, at the Special Session of the United Nations General Assembly and, on the other, to the Inter-Parliamentary Council in the year 2000;

4. **Participation of a parity delegation (two persons) of the Inter-Parliamentary Union** in the Special Session of the General Assembly;

5. **Inclusion of MPs** in national delegations to the Special Session of the General Assembly;

6. **Holding of a UN/IPU joint meeting on the occasion of the Special Session of the General Assembly,** on the theme « democracy through partnership between men and women in politics », in which government and parliamentary representatives will participate;

7. **Providing the United Nations** (which is due to publish by the end of 1999 statistics and indicators on the situation of women in the world) with statistical and other data concerning women's participation in political life;

8. **Co-ordination regarding follow-up to recommendations** emerging from the General Assembly and the Inter-Parliamentary Council.

Annex VI

[Original: English and French]

PARLIAMENTARY ACTION TO SECURE THE ENTRY INTO FORCE AND IMPLEMENTATION OF THE OTTAWA CONVENTION BANNING ANTI-PERSONNEL MINES

Resolution adopted without a vote by the Inter-Parliamentary Council at its 162nd session (Windhoek, 11 April 1998)

The Inter-Parliamentary Council,

Referring to the resolution entitled *« Respect for International Humanitarian Law and the Banning of Anti-personnel Mines »*, adopted at its 161st session held in Cairo in September 1997,

1. *Welcomes* the adoption of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction, on the occasion of the Global Ban on Landmines: Treaty Signing Conference and Mine Action Forum, held in Ottawa from 2 to 4 December 1997;

2. *Urges* all Governments and Parliaments to take the necessary steps for the earliest possible ratification of the Convention so as to ensure the early entry into force of the treaty, and to work for the adoption of the requisite national enabling legislation and regulations to secure full respect for its provisions;

3. *Reiterates its call* to all States and other parties to armed conflict to contribute on an ongoing basis to international landmine clearance efforts, and *once again encourages* States to fund the United Nations Voluntary Trustee Fund for Mine Clearance;

4. *Further reiterates its call* to the governments and parliaments of the countries concerned to take further action to promote mine awareness programmes (including gender- and age-appropriate programmes), thereby reducing the number and alleviating the plight of civilian victims;

5. *Likewise repeats its call* to the governments and parliaments of the countries concerned to release appropriate resources for the treatment and rehabilitation of landmine victims;

6. *Urges* IPU members to provide detailed responses to the questionnaire addressed to them by the Committee to Promote Respect for International Humanitarian Law so that this subsidiary body may submit to it, at its 163rd session (Moscow, September 1998) a full report assessing national parliamentary action on the landmines issue.

Annex VII

[Original: English and French]

DECLARATION ON DECLINING OFFICIAL DEVELOPMENT ASSISTANCE (ODA) AND FINANCIAL AID IN GENERAL

Adopted without a vote by the Inter-Parliamentary Council at its 162nd session (Windhoek, 6 April 1998)

Official Development Assistance (ODA) has been declining at an alarming rate. Rather than closing the gap with the target of 0.7 per cent of Gross National Product (GNP) set by the international community as far back as 1972 and reaffirmed at the United Nations Conference on Environment and Development (UNCED) in 1992, overall ODA has fallen from an average of 0.35 percent of GNP in the early 90s to less than 0.25 per cent today. In absolute terms, ODA has decreased during the last seven years by 25 percent, falling from a high of 60 billion dollars in 1990 to 45.5 billion dollars in 1997.

This decrease is the result of many factors. The political commitment to aid in donor countries is being challenged by chronic fiscal pressures compounded in many countries by high rates of domestic unemployment. The end of the Cold War has done away with security and ideological justifications for aid. A perception of aid dependence among the poorest countries and growing scepticism generally of past effectiveness of aid in promoting development and reducing poverty are further additions to the list of disincentives. Changes in fundamental development theories have also played their role. The shift in beliefs from development being equated with growth and led by public sector planning efforts towards more complex, multidimensional concepts of development as being people-centred, participatory and market-driven has led to uncertainty about the most appropriate role of aid. In short, there is a crisis in confidence in the utility of aid.

The decline in ODA is cause for very serious concern. ODA is an essential source of funding for many developing countries and particularly in the area of social development cannot be replaced by private financial flows. And it is at the core of the commitments made by States at the several world conferences held this last decade addressing sustainable development. While States have agreed that funding for the implementation of *Agenda 21* and other international commitments towards sustainable development should mainly come from countries' own public and private sources, they have also reaffirmed time and again the need to mobilise and provide new and additional, adequate and predictable financial resources to meet the targets of poverty reduction, protection of the environment and economic growth.

Beyond financial concerns, decreasing ODA has serious political repercussions on the possibility to forge international consensus on sustainable development in the future and, in particular, on its environmental aspects. The Special Session of the United Nations General Assembly in June 1997 (Rio+5) to make an overall review and appraisal of the implementation of *Agenda 21* provides one example where lack of progress on financing of sustainable development had a noticeable negative effect.

Hence, the urgent need to reverse the decline in ODA. This will require pursuing strategies which aim at improving the performance of development assistance and restoring donor support for ODA. We propose that national Parliaments launch a debate in plenary on the subject of declining

ODA with a view to fostering a broader public understanding and support for official development assistance and consequent government action. Such a debate should focus on the following parameters for the future direction of aid :

(i) The development goal of Official Development Assistance, implicit in its very name but often obscured by a narrow view equating development with growth, must be reasserted. We need to repeat that the ethical case for ODA rests ultimately on aid's ability to alleviate poverty, for this and future generations. To that end, ODA must address sustainable development conceived as a broad objective based on the need to achieve - in an integrated and mutually supportive way - the triple goals of economic growth, social progress and equity, and the protection of the environment. By definition, these goals must prevail over short-term commercial or partisan motivations.

(ii) At the same time, overall effectiveness of ODA must be improved. Both donor and recipient countries need to ensure that existing ODA funding is used in the most effective and efficient way and that it contributes to economic growth, social development and environmental protection in the context of sustainable development. More effective use of ODA is essential in overcoming current donor fatigue and in promoting political support for increase of ODA levels by the governments and general public in donor countries.

(iii) To achieve these objectives, sustainable development and therefore also the use of ODA must be driven by domestic priorities. Aid projects have the best chance of succeeding when they are the result of a broadly based participatory process in which the political leadership, the agencies of the State and civil society agree on desirable policy changes and translate them into parameters of policy and administration which are generally accepted.

(iv) Similarly, development projects should be implemented in the context of sound economic, social and environmental policies. Recipient States need to develop a sound policy framework and transparent, participatory and effective national institutions. While growth is necessary for poverty reduction, it will not achieve this result unless it occurs in an environmentally sustainable manner and within an institutional and policy framework which ensures that the benefits of growth are equitably shared.

(v) Governments in both donor and recipient countries, as well as international financial institutions, need to ensure greater transparency with regard to the objectives of aid programs and the consistency of actual allocations and end uses with those objectives. Greater accountability in determining the objectives of aid and in the allocation of resources will help reduce donors' use of tied aid, and recipients' use of aid for short-term political and economic gains.

(vi) ODA should be better targeted to the least developed countries and to those sectors in developing countries and countries in transition which do not benefit from adequate funding from various private sources, both domestic and external. Such sectors where the primary goal is to achieve human development are usually in the social area, particularly education, health, and poverty eradication, as well as environmental protection in many cases.

(vii) ODA can be instrumental in covering incremental costs of national actions and policies aimed at achieving global environmental benefits, in particular actions aimed at the implementation of goals and objectives of various international conventions. Bearing in mind the overarching role played by the Global Environment Facility (GEF), governments have the responsibility to ensure the adequate replenishment of the Facility as well as to identify ways and means to improve access to its resources. Furthermore careful consideration has to be given to the scope of GEF's programme activities.

(viii) There is a need for more systematic use of donor-recipient dialogues and more effective co-ordination among the donors themselves in order to ensure that ODA meets national priorities and, at the same time, facilitates the achievement of specific goals agreed at the international level. There also seems to be a need to improve greater policy coordination and collaboration between bilateral and multilateral donors, including international financial institutions, and various funding and technical co-operation activities carried out by the organizations of the United Nations system, as well as by NGOs.

(ix) A most promising mechanism for donor-recipient co-ordination is a clear, recipient-driven strategy for sustainable development. National and sectoral sustainable development strategies can serve as the basis for designing funding programs using both domestic and international financial resources, including ODA.

(x) There is also a need to explore and foster new approaches to the uses of ODA. This includes consideration of the possibility of further shifting the ODA financing from funding specific projects towards supporting broader goals of national policy reform aimed at sustainable development, including the need for addressing possible short-term social implications of such reforms. Furthermore, there are discussions regarding the role that ODA can play as a catalyst for leveraging private investment in support of sustainable development.

(xi) Within the broad context of ODA, the problem of indebtedness of the poorest and the most indebted developing countries, must also be addressed. In addition to traditional mechanisms such as commercial bank debt buybacks and more innovative ones such as debt-for-nature swaps or debt-for-social-development swaps, particular mention should be made here of the Debt Initiative for Heavily Indebted Poor Countries (HIPCs), a joint World Bank and IMF initiative now being implemented.

(xii) A comprehensive policy regarding the financing of sustainable development must also address the issue of subsidies and particularly those that lead to unsustainable development. Existing subsidies will need to be made more transparent, examined in parliament, reformed, and as the case may be, removed. At the same time, support will have to be provided to the most vulnerable affected groups.

(xiii) ODA is not a form of charity. In many cases ODA provides an important long-term service for the tax payers in donor countries themselves. By addressing urgent social needs, particularly the need to eradicate poverty, ODA can play an important role in avoiding potentially dangerous social dislocation which, in turn, can lead to national and regional conflicts. ODA, as shown above, can play a crucial role in ensuring that all countries join efforts aimed at addressing global environmental problems which, otherwise, can not be effectively dealt with by developed countries acting alone.

Annex VIII

[Original: English and French]

A. CONCLUSIONS AND RECOMMENDATIONS OF THE CONFERENCE ON « CONTRIBUTION OF PARLIAMENTS TO DEMOCRACY IN AFRICA »

(Harare, 1 and 2 April 1998)

I. Role and functioning of Parliament in Africa and its contribution to the strengthening of the democratisation process

Conclusions

Parliament is an important institution which gives rhythm to and organises democratic life. The main characteristics of a democratic society are particularly the existence of representative institutions through the organisation of free, fair and transparent elections at regular intervals, the guarantee of civil, political and social rights, the respect of human rights and the existence of free political organisations and/or parties.

Democracy is an evolving process and parliament has a key role to play in democracy education, starting with its own organisation and its own functioning. At the level of parliaments, this democracy is reflected in:

- Their juridical status (independence vis-à-vis the Executive, statutory, financial and administrative autonomy, police and security autonomy);
- Their powers of legislation and oversight of government action;
- The parliamentary mandate (free mandate and parliamentary immunity);
- The use of compromise among political forces and within them and the way committees and other organs are constituted.

Africa has its own specificities and traditional values which must be taken into consideration in the fostering of democracy.

Impediments to the development of democracy are in particular - at the internal level - tribalism; the citizens' and leaders' lack of democratic culture, the personalization of power; illiteracy; economic difficulties; poverty; corruption; religious intolerance. At the external level they are the failure to adjust the Western democratic model to African national realities; support for undemocratic regimes; inadequate assistance towards the consolidation of democracy.

Recommendations

Following the conclusions, participants recommended that African Parliaments work more towards the achievement of the following goals:

1. Independence of Parliament from other arms of government

It is crucial that Parliament should be able to oversee government action and promote an accountable and transparent system of governance. In this regard, Parliaments must be encouraged to review and reinforce mechanisms that will allow them to be more effective. Furthermore, the environment in which the opposition works must be improved. It must have at its disposal enough juridical and material means. Parliamentarians, whether they are from the ruling parties or from the opposition, must enjoy parliamentary immunity so that they can work freely and represent all the

people. To ensure greater transparency, citizens must have access to information about all public activities. The media have a crucial role to play in this regard.

2. Strengthening of Parliaments in human and material means

Parliaments must have enough human and material resources to work efficiently. To that end, it is recommended that national budgets should make provisions for more funds for parliaments, and inter-parliamentary organisations, such as the Inter-Parliamentary Union, should work more closely with developed countries and international institutions in order that they may make available more resources for the strengthening of Parliaments in particular, and the democratisation process in African countries, in general.

3. The participation of the people in decision-making

This requires electoral laws which ensure free, fair and transparent elections. This also implies the establishment of a true partnership between men and women in the running of public affairs where they act on the basis of equality and complementarity, learning from each other's differences. Moreover, all components of the Nation must be represented in all State institutions, especially within Parliament. Activities organised by civil society organisations must be supported in order to ensure their involvement in the democratic process.

4. Fight against social problems

In their work, Parliaments must give priority to efforts to fight all the problems plaguing a number of African countries, such as ignorance, illiteracy, corruption, violence, intolerance and terrorism.

5. Promotion of a culture of democracy

Parliament must contribute actively to the promotion of a democratic culture which fosters respect for human rights and fundamental freedoms (freedom of expression, of association and of meetings), equal opportunity, tolerance, peaceful co-existence within multi-ethnic societies and the guarantee of an independent and impartial judicial system.

6. Socio-economic development

Parliament must work towards socio-economic development so as to alleviate poverty and satisfy the people's basic needs. In short, it must contribute to the creation of an economic environment conducive to a democratic culture which is constantly enriched through education and other cultural and information means.

II. Strengthening of the Union of African Parliaments as a mechanism for inter-parliamentary co-operation in Africa

Conclusions

The Union of African Parliaments is a continental inter-parliamentary organisation which provides a forum for the contribution of African Parliaments to the solution of problems in Africa.

Financial and functional constraints have been impediments to the work of the UAP at continental level.

Recommendations

Efforts should be made to achieve the following objectives:

1. Encourage parliaments which are not yet members to join the Union;
2. Strengthen and modernise the Secretariat General;
3. Member Parliaments should honour their statutory, especially financial obligations;
4. Strengthen ties with the OAU, agencies of the United Nations family and inter-parliamentary organisations;
5. Urge donors to extend support to the Union of African Parliaments so as to assist it in achieving its objectives.

B. HARARE DECLARATION OF THE UNION OF AFRICAN PARLIAMENTS

(Harare, 2 April, 1998)

Meeting in Harare (Zimbabwe) on 1 and 2 April, 1998, the representatives of member Parliaments of the Union of African Parliaments adopted the present Declaration with a view to revitalising and strengthening the Union of African Parliaments.

1. The African Parliamentary Conference strongly reasserts the importance of the UAP and its indispensable role as a forum for the organization of inter-parliamentary relations.

2. It asserts the continental nature of the UAP as a structure for co-ordination and co-operation among Parliaments of member States of the Organization of African Unity.

   It thus appeals to all parliaments of OAU member countries which are not yet members of the UAP to join this organization.

3. The Conference decided that the President and Secretariat General of the UAP should take resolute action to invite African Parliaments which are not yet members to join the Union of African Parliaments.

   As concerns the Southern African States, the Conference mandated Zimbabwe to facilitate this action. The Parliament of Zimbabwe accepted this responsibility.

4. The Conference considers that it is essential for action to be taken to strengthen and modernise the Secretariat General of the UAP. This action shall include a plan whose study shall be undertaken by the current President, the Secretariat General and other relevant organs of the UAP.

5. As the expression of the parliamentary movement on the African continent, the UAP should be integrated within the inter-African system of international organizations and should establish close ties with the OAU.

6. The UAP must also establish ties of fruitful co-operation with the agencies of the United Nations family. The Conference appeals to all these agencies and to the Inter-Parliamentary Union to extend support to efforts to revitalise and strengthen the UAP.

7. In the efforts to revitalise the UAP, the Conference recommends that a study be conducted to design a more appropriate system for financing the administration of the UAP. This system should lay emphasis on the need for regular payment of contributions by member Parliaments. Additional measures, including a plan for funding the renovation of the UAP should be studied and implemented.

8. The delegates unanimously hailed the African Parliamentary Conference of Harare as a decisive stage in the development of the UAP.